



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

COPY MAILED

AUG 05 2008

In re Application of
Dulzer et al.

Application No. 10/811096
Filing or 371(c) Date: 03/26/2004
Attorney Docket Number:
MBC-0518

OFFICE OF PETITIONS

ON PETITION

This is a decision on the "Petition Requesting Withdrawal of a Holding of Abandonment Under 37 C.F.R. § 1.181," filed May 29, 2008.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed October 12, 2007. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No response having been received, the application became abandoned on January 33, 2008. A Notice of Abandonment was mailed May 16, 2008.

Applicant files the present petition and asserts that a timely reply to the Office action, including a three (3) month extension of time request and fee, was filed electronically on April 12, 2008. In support of this assertion Applicant files a copy of their Electronic Acknowledgment Receipt, which acknowledges receipt by this Office of an Amendment, Extension of Time and Fee Worksheet on April 12, 2008.

A review of Office records also reveals that the Office received an Amendment, and three (3) month Extension of Time and Fee on April 12, 2008.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 1793 for processing of the Reply, and for continued examination in due course.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.



Derek L. Woods

Attorney
Office of Petitions